



1 JaVonne M. Phillips, Esq. SBN 187474  
2 Matthew B. Learned, Esq. SBN 255499  
3 **McCarthy & Holthus, LLP**  
4 1770 Fourth Avenue  
5 San Diego, CA 92101  
6 Phone (877) 369-6122  
7 Fax (619) 685-4810

**IT IS SO ORDERED.**  
**Signed July 11, 2011**

A handwritten signature of Arthur S. Weissbrodt in black ink.

**Arthur S. Weissbrodt**  
**U.S. Bankruptcy Judge**

6 Attorney for: Secured Creditor,  
7 Deutsche Bank National Trust Company, as Trustee  
8 for GSR Mortgage Loan Trust 2006-0A1, Mortgage  
9 Pass-Through Certificates, Series 2006-0A1, its assignees  
10 and/or successors and the servicing agent American  
11 Home Mortgage Servicing, Inc.

11 UNITED STATES BANKRUPTCY COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN JOSE DIVISION

14  
15 In re: ) Case No. 09-56729 W  
16 )  
17 Richard Scott Chalgren ) Chapter 13  
18 Karen Lee Chalgren, )  
19 Debtors. ) RS No. KAZ-5434  
20 )  
21 ) ORDER ON MOTION FOR RELIEF  
22 ) FROM AUTOMATIC STAY  
23 )  
24 ) Date: 06/22/2011  
25 ) Time: 2:15 p.m.  
26 ) Ctrm: 3020  
27 ) Place: 280 S. First Street  
28 ) San Jose, CA  
29 )  
30 ) Judge Arthur S. Weissbrodt  
31 )  
32 )  
33 )

1 The motion of Secured Creditor Deutsche Bank National Trust Company, as Trustee for  
2 GSR Mortgage Loan Trust 2006-0A1, Mortgage Pass-Through Certificates, Series 2006-0A1, its  
3 assignees and/or successors and the servicing agent American Home Mortgage Servicing, Inc.  
4 ("Secured Creditor"), for relief from the automatic stay came on regularly for hearing by the  
5 Court on the date, time and place set forth above, before the Honorable Arthur S. Weissbrodt.  
6 All appearances are as noted in the court record.

7 Upon reading the papers and pleadings on file herein, and upon hearing oral argument  
8 and based on the evidence presented, the Court rules as follows:

9 IT IS HEREBY ORDERED, ADJUDGED AND DECREED

- 10 1. This Order affects the real property commonly known as: 411 Quail Run, Aptos, CA 95003  
11 ("Subject Property").
- 12 2. Secured Creditor has sufficiently established a colorable claim to the Subject Property and  
13 therefore the Court has determined that the issue of standing has been resolved.
- 14 3. On or before July 15, 2011, Debtors shall tender funds in the amount of \$1,457.00 to Secured  
15 Creditor, and continuing on the 15<sup>th</sup> day of each month thereafter pending determination of  
16 loan modification.
- 17 4. Payments shall be made directly to Secured Creditor, American Home Mortgage Servicing,  
18 Inc, Attn: Cash Management, 1525 S. Beltline Rd. Suite 100N., Coppell, TX 75019, with  
19 reference to the last four digits of the Loan Number 0964, or otherwise directed.
- 20 5. In the event Debtors fail to timely perform any of the obligations set forth in this Order,  
21 Secured Creditor shall notify Debtors and Debtors' counsel of the default in writing. Debtors  
22 shall have ten (10) calendar days from the date of the written notification to cure the default.
- 23 6. If Debtors fail to timely cure the default, Secured Creditor shall be entitled to lodge a  
24 Declaration of Default and an Order Terminating the Automatic Stay. The Order shall be  
25 entered without further hearing. The automatic stay shall be immediately terminated and  
26 extinguished for all purposes as to Secured Creditor and Secured Creditor may proceed with  
27 and hold a trustee's sale of the Subject Property, pursuant to applicable state law, and without  
28 further Court Order or proceedings being necessary, commence any action necessary to  
29 obtain complete possession of the Subject Property, including unlawful detainer, if required.

1 7. Either party may restore this matter to the Courts calendar for further consideration upon  
2 fifteen (15) days notice to the interested parties.  
3

4 Approved as to Form:

5  
6 /s/ Michael K. Mehr  
7 Michael K. Mehr, Esq.,  
8 Attorney for Debtors

9 \*\*END OF ORDER\*\*  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

**COURT SERVICE LIST**

TRUSTEE

Devin Derham-Burk

P.O. Box 50013

San Jose, CA 95150-0013

DEBTOR

Karen Lee Chalgren

411 Quail Run

Aptos, CA 95003

COUNSEL FOR DEBTORS

Michael K. Mehr

100 Doyle St., #A

Santa Cruz, CA 95062-2130

DEBTOR

Richard Scott Chalgren

411 Quail Run

Aptos, CA 95003

United States Bankruptcy Court  
Northern District of California

In re:  
Richard Scott Chalgren  
Karen Lee Chalgren  
Debtors

Case No. 09-56729-ASW  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0971-5

User: knitzel  
Form ID: pdfec

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Jul 11, 2011

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 13, 2011.  
db/jdb +Richard Scott Chalgren, Karen Lee Chalgren, 411 Quail Run, Aptos, CA 95003-9720

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 13, 2011

Signature:

